

BILL NO. S-76-09-17.

SPECIAL ORDINANCE NO. S-159-76

AN ORDINANCE approving a contract with Dailey Asphalt Products Co., Inc., for resurfacing of Taylor Street and Superior Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

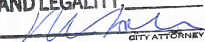
SECTION 1. That the contract dated August 27, 1976, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Dailey Asphalt Products Co., Inc., for:

Resurfacing of Taylor Street (Ardmore Avenue to Fairfield Avenue) and Superior Street (Van Buren Street to Lafayette Street) and known as Improvement Resolution 5719-1976.

for a total cost of \$127,090.30, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.


Councilman

APPROVED AS TO FORM
AND LEGALITY.

CITY ATTORNEY

Read the first time in full and on motion by Mr. Hinga, seconded by Mr. Hinga, and duly adopted; read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the 9th day of September, 1976, at 9 o'clock P.M., E.S.T.

Date:

9-14-76

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Mr. Hinga, seconded by Mr. Hinga, and duly adopted, placed on its passage. Passed (YES) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-VIT
TOTAL VOTES	<u>8</u>			<u>1</u>	
BURNS	<u>X</u>				
HINGA	<u>X</u>				
HUNTER	<u>X</u>				
MOSES	<u>X</u>				
RUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER				<u>X</u>	
TALARICO	<u>X</u>				

DATE:

9-28-76

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. S 159-76 on the 28th day of Sept., 1976.

Charles W. Westerman
CITY CLERK

(SEAL)

James Stier
RESIDING OFFICER

Presented by me in the Mayor of the City of Fort Wayne, Indiana, on the 29th day of Sept., 1976, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 1st day of October, 1976, at the hour of 8:00 o'clock A. M., E.S.T.

Robert Ellmestrom

Bill No. S-76-09-17

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance

approving a contract with Dailey Asphalt Products Co., Inc., for

resurfacing of Taylor Street and Superior Street

have had said Ordinance under consideration and beg leave to report back to the Common

Council that said Ordinance Do PASS.

Winfield C. Moses, Jr. - Chairman

Donald J. Schmidt - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

William T. Hinga

W. C. Moses Jr.

D. J. Schmidt

Vivian G. Schmidt

Paul M. Burns

William T. Hinga

DATE 4-28-76 CONCURRED IN
CHARLES W. WESTERTMAN, CITY CLERK



THE CITY OF FORT WAYNE

board of public works
city-county building
one main street
fort wayne, indiana 46802

July 28, 1976

The Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

The Board of Works has taken bids and awarded contracts for the first two phases of the resurfacing program for 1976. Contracts have been awarded as follows:

Bailey Asphalt Products ----- \$127,090.30

for Taylor (Ardmore to Fairfield)
Superior (Van Buren to Lafayette)

Wayne Asphalt & Construction -- \$ 47,601.70

for Kirkfield (Inwood to Highwood)
Courtwood (Kirkfield to 300 feet northwest)
Inwood (Vance to Marigold)
St. Joe River Dr. (Parnell to Addison)

Since we are well into the construction season, the contractors and Board respectfully request a "Prior Approval" of the contracts. Bids for the balance of the program will be scheduled as soon as documents can be prepared.

An Ordinance for formal approval will be submitted August 10, 1976.

Sincerely,

Henry P. McPherson
Chairman, Board of Public Works
Robert E. Armstrong
Mayor

/eis

Attachments: Bid Tabulations

APPROVED:

Richard A. White *James H. Tolson* *John A. Smith*
James H. Tolson *Frederick R. Blitch* *William L. Linn*
and *Robert E. Armstrong* *Nathan T. Hines*
MEMBERS OF THE COMMON COUNCIL

ATTEN:

Charles W. Westerman

City Clerk

AN EQUAL OPPORTUNITY EMPLOYER



Sheet 1 of 1

63-256-9 8/27/76

CITY PAID
SUBJECT TO COUNCILMANIC APPROVAL
PRELIMINARY MEETING _____
RATIFICATION _____

CONTRACT

This Agreement, made and entered into this 27 day of August, 1976

by and between _____

-----DAILEY ASPHALT PRODUCTS CO., INC.-----

hereinafter called "Contractor" and the City of Fort Wayne, Indiana, a municipal corporation, hereinafter called "City," under and by virtue of an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all amendatory and supplementary acts thereto, WITNESSETH: That the Contractor covenants and agrees to improve

Resolution No. 5719-1976: To improve by resurfacing, improving curbs and
restoring pavement on two streets in the 1st and 4th Councilmanic Districts,
as described on the attached resolution. -----

by grading and paving the roadway to a width of XXXXXXXXXXXX feet with XXXXXXXXXXXXXXXXXXXX
XX
upon a foundation and with curbing as fully set out in the specifications hereinafter referred to, in a good and workmanlike manner and to the entire satisfaction of said City, in accordance with Improvement Resolution No. 5719-1976 and at the following price per lineal foot: _____

At the following prices:

Pavement Removal	Three dollars and no cents, per square yard	3.00
Hot Asphalt Binder, #53	Fourteen dollars and no cents, per ton	14.00
Hot Asphalt Binder, #11	Thirteen dollars and ten cents, per ton	13.10
Hot Asphalt Binder A-2 City Mix	Fourteen dollars and fifty cents, per ton	14.50
Joint and Crack Sealer	Seven hundred dollars and no cents, per ton	700.00
Common Excavation	Four dollars and fifty cents, per cubic yard	4.50
Ditching	One dollar and fifty cents, per lineal foot	1.50
Manhole Adjusted and set to grade	Seventy five dollars and no cents, per each	75.00
Catch Basin adjusted and set to grade	One hundred dollars and no cents, per each	100.00
Water Valve adjusted and set to grade	Sixty dollars and no cents, per each	60.00
Sidewalk Removal	One dollar and no cents, per square yard	1.00
New Curbface Walk	One dollar and fifty cents, per square foot	1.50
12" C.M.P.	Six dollars and fifty cents, per	6.50

At the following prices:

Pavement Removal	Three dollars and no cents, per square yard	3.00
Hot Asphalt Binder, #53	Fourteen dollars and no cents, per ton	14.00
Hot Asphalt Binder, #11	Thirteen dollars and ten cents, per ton	13.10
Hot Asphalt Binder A-2 City Mix	Fourteen dollars and fifty cents, per ton	14.50
Joint and Crack Sealer	Seven hundred dollars and no cents, per ton	700.00
Common Excavation	Four dollars and fifty cents, per cubic yard	4.50
Ditching	One dollar and fifty cents, per lineal foot	1.50
Manhole Adjusted and set to grade	Seventy five dollars and no cents, per each	75.00
Catch Basin adjusted and set to grade	One hundred dollars and no cents, per each	100.00
Water Valve adjusted and set to grade	Sixty dollars and no cents, per each	60.00
Sidewalk Removal	One dollar and no cents, per square yard	1.00
New Curbface Walk	One dollar and fifty cents, per square foot	1.50
12" C.M.P.	Six dollars and fifty cents, per lineal foot	6.50
New Special Inlet	Four hundred dollars and no cents, per each	400.00
Rip Rap	Twelve dollars and no cents, per ton	12.00
Crushed Stone, #73	Four dollars and fifty cents, per ton	4.50

The Contractor will furnish immediately a certificate from the Industrial Board of the State of Indiana, that he has complied with Sections 5, 68, 69 of the Workmen's Compensation Act, approved March 14, 1929, in accordance with Section 14 of the Compensation Act (Acts 1929, page 545, being Section 9459 of Burns Annotated Statutes, Volume IV). (Section 40-1214 Burns Annotated 1952 Revision, Volume VIII).

A copy of General Ordinance No. G-60-66, concerning discriminating in employment under municipal contracts, is attached and incorporated herein by reference.

GUARANTY BOND

Know All Men by These Presents, That we-----

-----DAILEY ASPHALT PRODUCTS CO., INC.-----Contractors

as principal, and-----

ST. PAUL FIRE AND MARINE INSURANCE COMPANY OF ST. PAUL, MINNESOTA-----as surety

are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of ONE HUNDRED TWENTY-
SEVEN THOUSAND, NINETY DOLLARS AND THIRTY CENTS-----

-----(\$127,090.39)
for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs,
executors, administrators and assigns firmly by these presents.

The conditions of the above obligation are, that whereas the said-----

-----DAILEY ASPHALT PRODUCTS CO., INC.-----

did on the-----day of-----

-----, enter into a contract with the City of Fort Wayne to construct a

~~Pavement~~

~~xxx~~ ~~Resolution No. 5719-1976~~ To

improve by resurfacing, improving curbs and restoring pavement on two streets

in the 1st and 4th Councilmanic Districts, as described on the attached resolution.

-----according to certain plans and specifications, and
for a period of three years
also warranting and guaranteeing the work/material and condition of the pavement thereof as provided
in aforesaid contract and specifications. Now if the said-----

DAILEY ASPHALT PRODUCTS CO., INC.-----shall faithfully perform and fulfill all the require-
ments of said warranty and guaranty, and make all repairs required under said guarantee, and in the
manner provided for, then this bond to be null and void, otherwise to be in full force and effect.

WITNESS our hands and seals this 28 day of July, 1976.

YASTE, ZENT & RYE, INC.
Authorized Agents

DAILEY ASPHALT PRODUCTS CO., INC. (SEAL)

BY: *L.W. Draily* (SEAL)
ST. PAUL FIRE & MARINE INSURANCE CO.

ITS: *Jane J. Ross* (SEAL)
Attorney-in-fact

YASTE, ZENT & RYE, INC.

Approved this 27 day of August, 1976

E. W. P. Ma
May J. Scott
Board of Public Works.

LIABILITY BOND

Known All Men by These Presents, That we-----

-----DAILEY ASPHALT PRODUCTS CO., INC.-----

as principal, and ST. PAUL FIRE AND MARINE INSURANCE COMPANY OF ST. PAUL, MINNESOTA,-----

as surety, are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of ONE HUNDRED

TWENTY SEVEN THOUSAND, NINETY DOLLARS AND THIRTY CENTS-----

for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs, executors, administrators and assigns firmly by these presents.

-----(\$127,090.30)

The conditions of the above obligation are such, that if the above named party of the first part shall

faithfully comply with the foregoing contract made and entered into the-----

day of-----, with the City of Fort Wayne, Indiana, and shall faithfully fulfill all the conditions and stipulations therein contained, except the warranty and guaranty of the pavement as to the workmanship, material and conditions for the period of three(3) years, according to the true intent and meaning thereof in all respects, then this obligation to be void, otherwise to be and remain in full force and virtue in law and in the event the said City shall extend the time for the completion of said work, such extension shall not in any way release the sureties on this bond.

WITNESS our hands and seals this 28 day of July, 1976

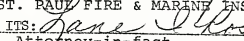
YASTE, ZENT & RYE, INC.
Authorized Agents

BY: 

YASTE, ZENT & RYE, INC.

DAILEY ASPHALT PRODUCTS CO., INC. (SEAL)

BY:  (SEAL)
ST. PAUL FIRE & MARINE INSURANCE CO.

ITS:  (SEAL)
Attorney-in-fact

(SEAL)

Approved this 27 day of August, 1976





Board of Public Works.

COMPLETED IN STREET ENGINEERING DEPARTMENT

JULY 26, 1976

TITLE OF ORDINANCE SPECIAL ORDINANCE - Contract of Dailey Asphalt Products Co., Inc.

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE Contract of Dailey Asphalt Products Co., Inc. in amount of
\$127,090.30 for Street Improvement Resolution 5719-1976 provides for resurfacing of:

Taylor Street (Ardmore Avenue to Fairfield Avenue)

Superior Street (Van Buren Street to Lafayette Street)

This was the low bid of five received (See tabulation attached)

(SEE ATTACHED PRIOR APPROVAL)

EFFECT OF PASSAGE Street improvements as approved for Revenue Sharing

EFFECT OF NON-PASSAGE Prior Approval received

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$127,090.30 from Revenue
Sharing.

ASSIGNED TO COMMITTEE Public Wks/ptm